

1 BILL NO. G-87-07-14

2 GENERAL ORDINANCE NO. G-21-87

3 AN ORDINANCE amending the Thoroughfare
4 Plan of the City Comprehensive ("Master")
5 Plan by vacating an alley.

6 WHEREAS, a petition to vacate a public alley within the
7 City of Fort Wayne (as more specifically described below)
8 was duly filed with the City Planning Commission; and

9 WHEREAS, said Commission duly held a public hearing
10 thereon; and

11 WHEREAS, said Commission has duly forwarded its
12 recommendation to this body approving said petition, all in
13 accordance with I.C. 36-7-4-512(2) and this body having held
14 a public hearing on said vacation as provided in I.C. 36-7-
15 4-12; and

16 WHEREAS, this body concurs in the recommendation of the
17 City Planning Commission.

18 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
19 THE CITY OF FORT WAYNE, INDIANA:

20 SECTION 1. That the petition filed herein to vacate a
21 public alley within the City of Fort Wayne, more
22 specifically described as follows, to-wit:

23 The 10 foot wide alley in PIEPENBRINK'S OUT LOTS as
24 recorded in Plat Book "O", page 97 (1867), lying
25 between Lots 8 and 9, Lots 7 and 10 and Lots 6 and 11
26 thereto;

27 TOGETHER with the 10 foot wide alley in THIEME'S
28 SUBDIVISION as recorded in Deed Record 95, page 562
29 (1884), lying between Lots 5 and 6 thereto;

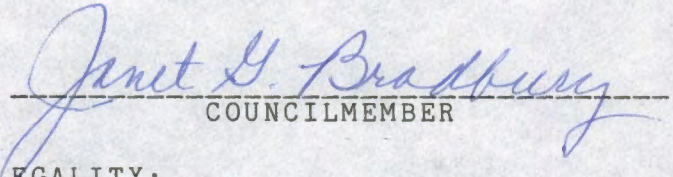
30 TOGETHER with that portion of the East-West 10 foot
31 alley situated on the North side of THIEME'S
32 SUBDIVISION intercepted;

Extending from the South line of the former New York,
Chicago and St. Louis Railroad now the Norfolk and
Western Railway Company Southerly 439.4 feet; more or
less, to the North line of Berry Legal Notice
Street (50 feet wide).

and which vacating amends the Thoroughfare Plan of the City

1 Comprehensive ("Master") Plan and is hereby approved in all
2 respects.

3 SECTION 2. That this Ordinance shall be in full force
4 and effect from and after its passage, any and all necessary
5 approval by the Mayor.

6 
7 COUNCILMEMBER

8 APPROVED AS TO FORM AND LEGALITY:

9 
10 BRUCE O. BOXBERGER, CITY ATTORNEY

11 ** Public hearing to be held on _____,
12 the _____ day of _____, 1987,
13 in the Council Chambers.

14
15 Sandra E. Kennedy, City Clerk
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Read the first time in full and on motion by Bradbury
seconded by Redd, and duly adopted, read the second time
by title and referred to the Committee Regulation (and the
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort W.
Indiana, on _____, the _____ day of
_____, 19____, at _____ o'clock _____.M.

DATE: 7-14-87

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury
seconded by Redd, and duly adopted, placed on
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>BRADBURY</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>BURNS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>EISBART</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>GiaQUINTA</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>HENRY</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>REDD</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>SCHMIDT</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>STIER</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>TALARICO</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

DATE: 11-10-87

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort
Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. B-21-87.

on the 10th day of November, 1987

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Mark E. GiaQuinta
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana
on the 12th day of November, 1987
at the hour of 11:00 o'clock A..M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 13th day of November
1987, at the hour of 10⁰⁰ o'clock A..M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

RECEIPT

No 2705

COMMUNITY DEVELOPMENT & PLANNING

OK# 9875
FT. WAYNE, IND., 6-18 '87

RECEIVED FROM Berry et al \$ 100.00

THE SUM OF one hundred & 00/100 DOLLARS

ON ACCOUNT OF _____

Alley M. Patton
for B.
AUTHORIZED SIGNATURE

PETITION TO VACATE ALLEY

TO: City Plan Commission
City of Fort Wayne, Indiana

The undersigned Petitioners do hereby respectfully petition the Fort Wayne City Plan Commission to vacate the following alley within the City of Fort Wayne, Indiana, described as follows:

See attached Exhibit "A"

In support thereof, your Petitioners state as follows:

1. That the Petitioners, Wolf Corporation and ERD Corporation, are the only owners of the real estate bordering both sides of the alley proposed to be vacated;

2. That the alley is not necessary as ingress or egress to other properties whatsoever;

3. That no other person, firm or corporation is interested in or affected by the requested vacation;

4. That any residential properties bordering said alley are owned by the Petitioners, or either of them, and the residents of said rental properties shall continue to have access to the same on Canal Street or through the vacated alley;

5. That the maintenance of the alley is not necessary or advantageous to the growth of the City of Fort Wayne, and that it would be in the best interests of the City and the citizens thereof to approve said proposed vacation;

6. That your Petitioners file this Petition pursuant to the authority granted in Indiana Code Sec. 36-7-4-512 in order to complete the vacation as above described.

WHEREFORE, your Petitioners pray that the above-described alley be vacated according to the provisions of the Indiana law pertaining thereto.

Dated this 28th day of May, 1987.

WOLF CORPORATION

By: Richard G. W. GRES
an authorized officer,
Petitioner
710 Schick Street
Fort Wayne, IN 46803

ERD CORPORATION

By: Donald R. Ray
an authorized officer,
Adjacent property owner
710 Schick Street
Fort Wayne, IN 46803

CERTIFICATE OF SURVEY HOFER AND DAVIS, INC.

NUMBER SE 1-30-17

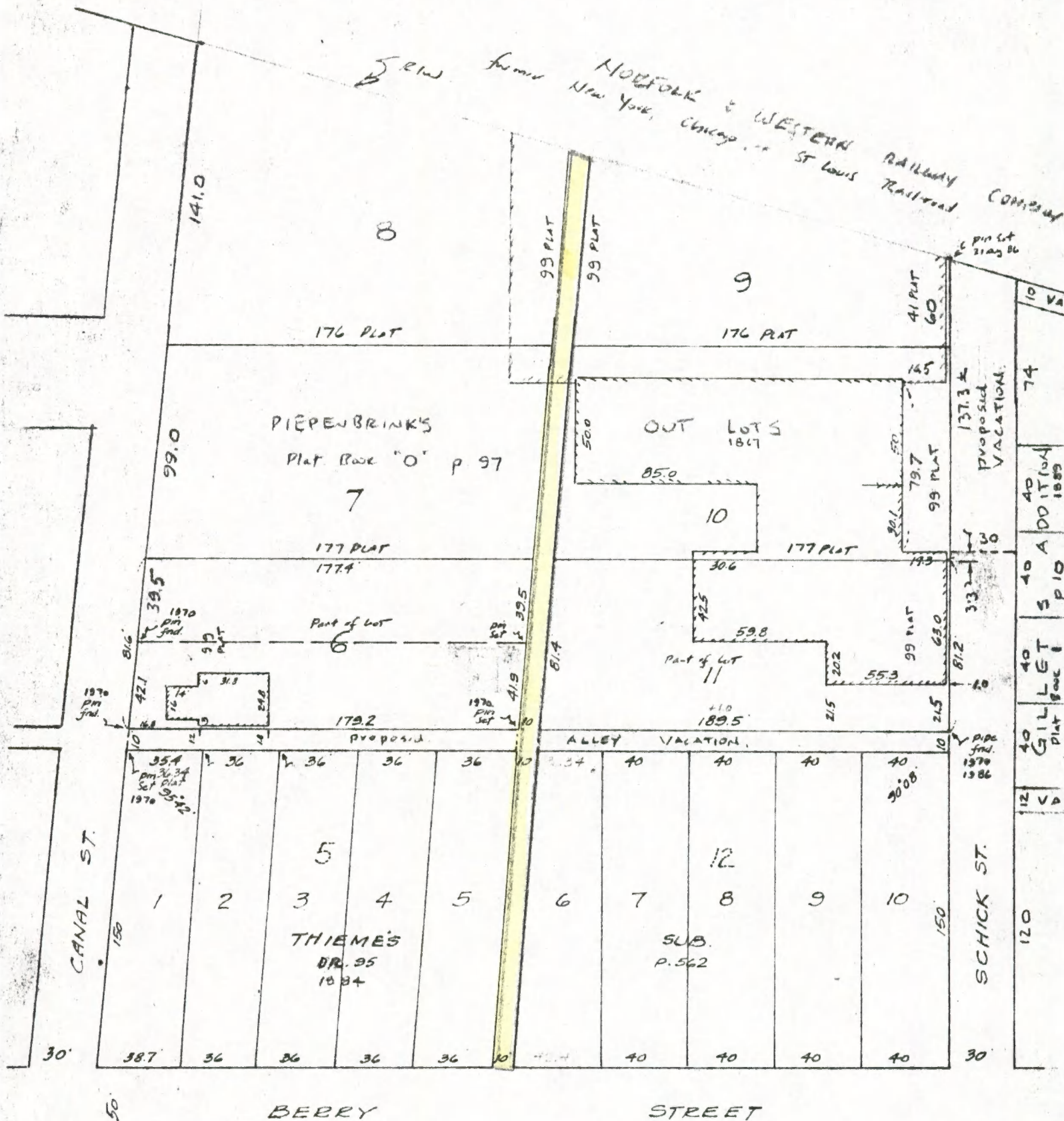
OFFICE OF A. K. HOFER AND CARL A. HOFER
CIVIL ENGINEERS - FORT WAYNE, INDIANA W. S. DAVIS, Associate

Registered in Indiana
P. E. No. 72, L.S. 10504
P. E. No. 7122, L.S. 10031

This document is the record of a resurvey of land and real estate situated in the City of Fort Wayne, Allen County, Indiana, made in accordance with the plat and deed record thereof on file in the Office of Recorder of said County and State. The land below described exists in full dimension as herein noted in feet, and is free from encroachments by adjoining landowners, and furthermore, contains entirely within its boundaries the structures of the buildings on it situated; all as below indicated in detail. Any exceptions or discrepancies are below noted.

60 Scale

DESCRIPTION OF PROPERTY Lot No. SEE ATTACHED SHEET



(3-2) REVISED 12 MAY 87 CAT
(4) LEGAL 12 MAY 87 CAT

CITY MAP 0-6
AMENDED 1970 CERTIFICATE

IN WITNESS WHEREOF, I place my hand and seal, this 21 day of JANUARY, 1987



Carl A. Hofer

PROPOSED ALLEY VACATION

The 10 foot wide alley in PIEPENBRINK'S OUT LOTS as recorded in Plat Book "O", page 97 (1867), lying between Lots 8 and 9, Lots 7 and 10 and Lots 6 and 11 thereto;

TOGETHER with the 10 foot wide alley in THIEME'S SUBDIVISION as recorded in Deed Record 95, page 562 (1884), lying between Lots 5 and 6 thereto;

TOGETHER with that portion of the East-West 10 foot alley situated on the North side of THIEME'S SUBDIVISION intercepted;

Extending from the South line of the former New York, Chicago and St. Louis Railroad now the Norfolk and Western Railway Company Southerly 439.4 feet, more or less, to the North line of Berry Street (50 feet wide).

IN WITNESS WHEREOF, I place my hand and seal, this 12th day of May 1987.

Carl A. Hofer



RESOLUTION 77-174-3

WHEREAS, WOLF CORPORATION AND ERD CORPORATION has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following a public alley in Fort Wayne, Allen County, to-wit:

The 10 foot wide alley in PIEPENBRINK'S OUT LOTS as recorded in Plat Book "O", page 97 (1867), lying between Lots 8 and 9, Lots 7 and 10 and Lots 6 and 11 thereto;

TOGETHER with the 10 foot wide alley in THIEME'S SUBDIVISION as recorded in Deed Record 95, page 562 (1884), lying between Lots 5 and 6 thereto;

TOGETHER with that portion of the East-West 10 foot alley situated on the North side of THIEME'S SUBDIVISION intercepted;

Extending from the South line of the former New York, Chicago and St. Louis Railroad now the Norfolk and Western Railway Company Southerly 439.4 feet; more or less, to the North line of Berry Legal Notice Street (50 feet wide).

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of a public alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

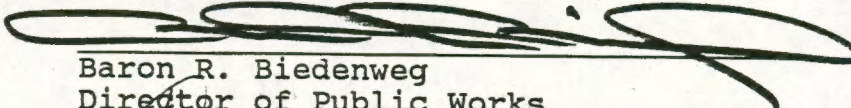
BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public alley hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of public alley or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

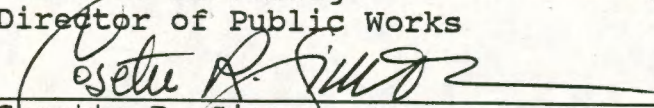
STATE OF INDIANA))
COUNTY OF ALLEN) SS:

I, Baron B. Buckenweg, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held October 7, 1987 and as same appears of record in the official records of the Board of Public Works

DATED THIS 7th DAY OF October 1987

FORT WAYNE BOARD OF PUBLIC WORKS


Baron R. Biedenweg
Director of Public Works


Colette R. Simon
Director of Administration & Finance

Gregory A. Purcell
Director of Community Development & Planning

RESOLUTION

WHEREAS, WOLF CORPORATION AND ERD CORPORATION has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following a public alley in Fort Wayne, Allen County, to-wit:

The 10 foot wide alley in PIEPENBRINK'S OUT LOTS as recorded in Plat Book "O", page 97 (1867), lying between Lots 8 and 9, Lots 7 and 10 and Lots 6 and 11 thereto;

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TOGETHER with that portion of the East-West 10 foot alley situated on the North side of THIEME'S SUBDIVISION intercepted;

Extending from the South line of the former New York, Chicago and St. Louis Railroad now the Norfolk and Western Railway Company Southerly 439.4 feet; more or less, to the North line of Berry Legal Notice Street (50 feet wide).

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on July 20, 1987 at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said public alley.

WHEREAS, said vacation of public alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alley hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alley hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said public alley or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said public alley in Allen County, Indiana.

STATE OF INDIANA)

) SS:

COUNTY OF ALLEN)

I, Robert Hutner, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held

July 27, 1987

in the official records of said Plan Commission.

DATED THIS 30 DAY OF September 1987

FORT WAYNE CITY PLAN COMMISSION

Permuter

Robert Hutner, Secretary

ORIGINAL

Admn. Appr. _____

COUNCILMANIC DISTRICT No. _____

DIGEST SHEET

ORIGINAL

TITLE OF ORDINANCE Alley Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE A north/south alley running to the south of the Norfolk and Western Railway and north of Berry Street between Canal & Schick Streets.

14

21-83-07-13

EFFECT OF PASSAGE Property is presently public right-of-way. Property will be closed to public and revert to adjacent property owners.

EFFECT OF NON-PASSAGE Property will remain public right-of-way.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.) _____

Division of Community Development & Planning

BILL NUMBER

BRIEF TITLE

APPROVAL DEADLINE

REASON

Alley Vacation Ordinance

DETAILS

Specifics Location and/or Address

A north/south alley running to the south of the N&W Railroad & north of Berry St between Canal & Schick Streets.

Reason for Project

Expansion of the business.

Discussion (Including relationship to other Council actions)

20 July 1987 - Public Hearing

Pete Mallers, attorney for Wolf Corp., and ERD Corp., stated that they had been before the Commission a few months before and vacated the east/west alley in this area and were under the impression at that time that this north/south alley was vacated. They discovered that it is not and in order to continue with their expansion they are now requesting the vacation of the north/south alley. He stated that the petitioners are the only adjacent property owners. He stated that the railway dead ends at the north end, into the Norfolk and Western Railway. He stated that it is also their opinion that it is not necessary for the purpose of ingress or egress to any other person. Mr. Mallers stated that they will give easement as is necessary to any utility requiring or pay for the relocation of said utility.

There was no one else present who wished to speak in favor of or in opposition to the proposed vacation.

POSITIONS

RECOMMENDATIONS

Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/ Proponents	Applicant(s) Wolf Corporation & ERD Corp City Department Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	By <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditio (See Details column for conditio
CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pa

DETAILS

27 July 1987 - Business Meeting

A motion was made to return the ordinance to the Common Council with a DO PASS recommendation with the condition that the petitioner provide utility easements as needed. Motion carried.

Of the seven (7) members present 6 voted in favor of the motion one (1) did not vote.

NOTE: The petitioner has agreed in writing to provide easements as needed.

POLICY/PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start

Date 18 June 1987

Projected Completion or Occupancy

Date 30 September 1987

Fact Sheet Prepared by

Date 30 September 1987

Patricia Biancaniello

Reviewed by

Date

Sam Berto

13 Oct. 1987

Reference or Case Number

BILL NO. G-87-07-14

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the Thoroughfare

Plan of the City Comprehensive ("Master") Plan by vacating

an alley

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG

LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)

(~~RESOLUTION~~)

No Pass

YES

NO

Janet G. Bradbury JANET G. BRADBURY
CHAIRPERSON

Charles B. Redd CHARLES B. REDD
VICE CHAIRMAN

Thomas C. Henry THOMAS C. HENRY

Paul M. Burns PAUL M. BURNS

Ben A. Eisbart BEN A. EISBART

CONCURRED IN

11-10-87

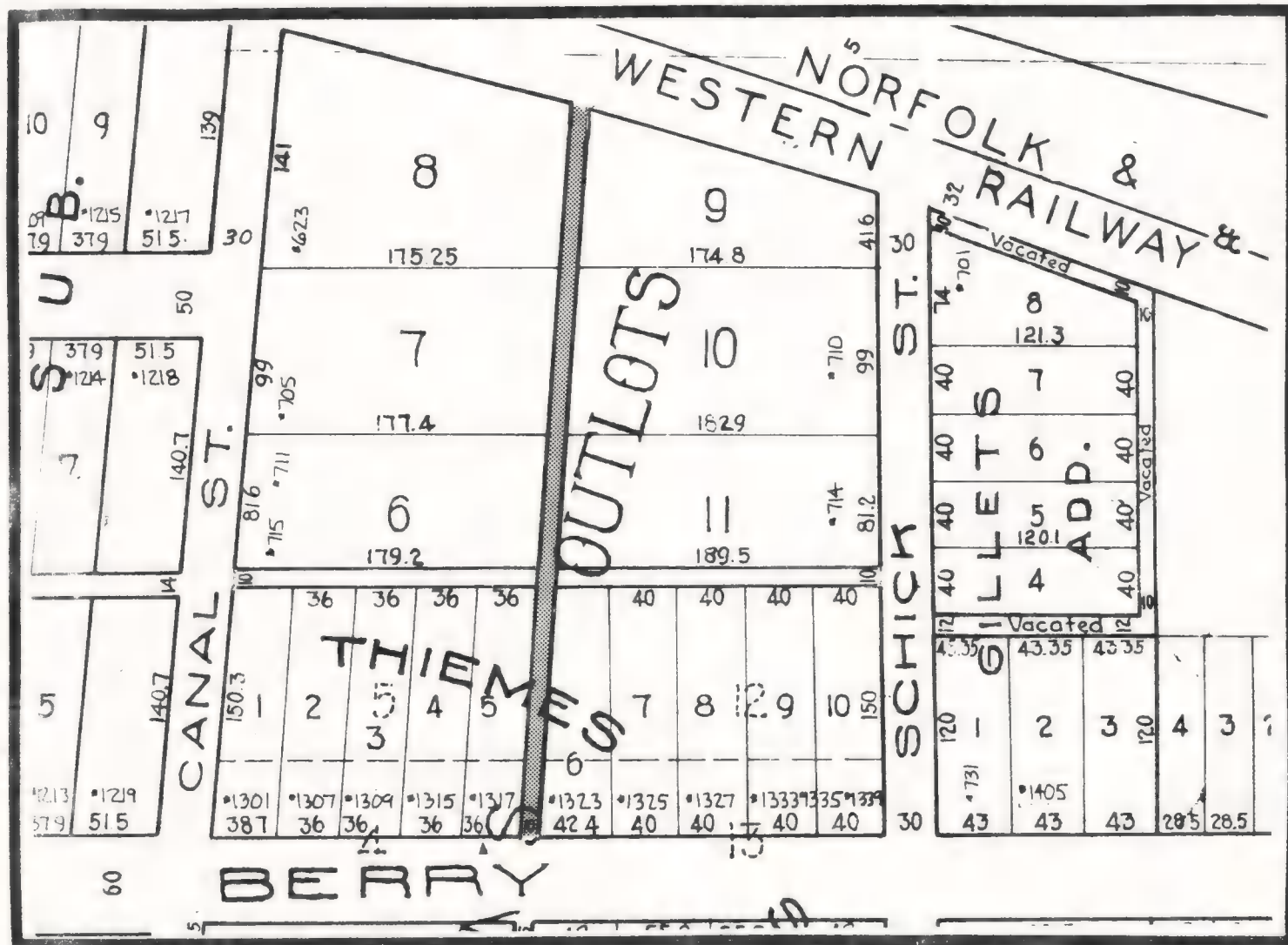
SANDRA E. KENNEDY
CITY CLERK

VACATION PETITION #285

A PETITION TO VACATE THE DESCRIBED PUBLIC ALLEY.

MAP NO. O-6

COUNCILMANIC DISTRICT NO. 1



ZONING:

LAND USE:

SCALE: 1"=100'

DATE: 6-29-87



Agent:

Pete Mallers
2200 Fort Wayne National Bank Building
City 02

2. ALLEY VACATION

The 10 foot wide alley in PIEPENBRINK'S OUT LOTS as recorded in Plat Book "O", page 97 (1867), lying between Lots 8 and 9, Lots 7 and 10 and Lots 6 and 11 thereto;

TOGETHER with the 10 foot wide alley in THIEME'S SUBDIVISION as recorded in Deed Record 95, page 562 (1884), lying between Lots 5 and 6 thereto;

TOGETHER with that portion of the East-West 10 foot alley situated on the North side of THIEME'S SUBDIVISION intercepted;

Extending from the South line of the former New York, Chicago and St. Louis Railroad now the Norfolk and Western Railway Company Southerly 439.4 feet; more or less, to the North line of Berry Street (50 feet wide).

BEERS, MALLERS, BACKS, SALIN & LARMORE

ATTORNEYS AT LAW

1100 FORT WAYNE NATIONAL BANK BUILDING

FORT WAYNE, INDIANA 46802

(219) 426-9706

November 9, 1987

ORVAS E. BEERS
GEORGE P. MALLERS
VINCENT J. BACKS
WILLIAM N. SALIN
PHILIP H. LARMORE
STEPHEN W. ADAIR
ROBERT OWEN VEGELER
G. WILLIAM FISHERING, III
RICHARD E. BEERS
PETER G. MALLERS, II
ROBERT E. ROSS
R. SCOTT PERRY
JAMES P. POSEY
JAMES F. DUMAS
OF COUNSEL

INDIANAPOLIS OFFICE
9333 NORTH MERIDIAN
SUITE 233
INDIANAPOLIS, INDIANA 46260
(317) 848-3542

E. ROSS ADAIR
FORMER MEMBER OF CONGRESS
AND U.S. AMBASSADOR
1907-1983

RAMON S. PERRY
1913-1980

THOMAS E. RUZZO
1942-1985

Ms. Sandra E. Kennedy
City Clerk
One Main Street
Fort Wayne, IN 46802

Re: Bill No. G-87-07-14

Dear Ms. Kennedy:

I am writing to you on behalf of my client, Wolf Corporation, the Petitioner in the above matter, which involves the vacation of a north/south alley on my client's property located north of Berry Street, south of the N & W railroad, and between Canal and Schick Streets. Because I will not be able to attend the hearing on November 10, 1987, I am submitting this letter for review by the Common Council in lieu of a personal appearance.

The Petition to Vacate the north/south alley is ancillary to a petition previously filed by Wolf Corporation to vacate the east/west alley intersecting the subject north/south alley and also to vacate a portion of Schick Street. As a result of learning that the north/south alley had not been vacated many years ago as was thought by the Petitioner, this Petition to Vacate was filed and eventually given a "do pass" recommendation on July 27, 1987. Attached to this letter is a copy of Tony Wolf's letter dated August 11, 1987, wherein he indicates that the Petitioner will provide utility easements as needed and/or relocate utilities.

Therefore, on behalf of Wolf Corporation, I respectfully request that the Common Council of Fort Wayne approve Bill No. G-87-07-14.

Thank you for your attention to this.

Very truly yours,

BEERS, MALLERS, BACKS, SALIN & LARMORE


Peter G. Mallers, II

PGM:mo
Enc.



WOLF CORPORATION
Mattresses, Box Springs & Fiber Products
P.O. Box 5009, 710 Schick Street
Fort Wayne, Indiana 46895
219-423-1626

August 11, 1987

Mr. Gary Baeten
Community Development & Planning
City County Building
Fort Wayne, Indiana 46802

Dear Mr. Baeten,

Wolf Corporation has reviewed your request of July 29.

We will comply with the conditions put forth in your letter providing both utility easements as needed and the relocation of utilities.

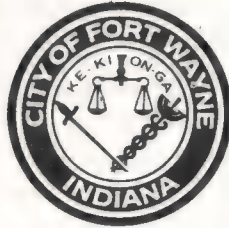
We look forward to your expeditious movement on our request.

Sincerely,

Tony Wolf
Tony Wolf

AEW:jz

All America City



Most Livable City

THE CITY OF FORT WAYNE

October 20, 1987

Pete Mallers, Attorney
2200 Fort Wayne National Bank Bldg.
Fort Wayne, IN 46802

NOTICE OF PUBLIC HEARING ON BILL NO. G-87-07-14

You are hereby notified that the Common Council of Fort Wayne will conduct a public hearing on Tuesday, November 10, 1987, at 7:00 P.M. (EST) in the Common Council Conference Room 128, City-County Building, One Main Street, Fort Wayne, IN, on the following:

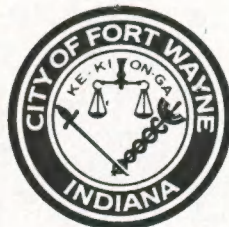
A north/south alley running to the south of the N&W Railroad and North of Berry Street between Canal and Schick Streets -- Expansion of the business

All interested persons are invited to appear and be heard. Any written material may be submitted to the Common Council prior to the hearing.

Fort Wayne Common Council

Sandra E. Kennedy
City Clerk

All America City



Most Livable City

THE CITY OF FORT WAYNE

October 19, 1987

Ms. Marilyn Romine
Fort Wayne Newspapers, Inc.,
600 West Main Street
Fort Wayne, Indiana 46807

Dear Ms. Romine:

Please give the attached full coverage on the date
of October 22, 1987, in both the News Sentinel and
Journal Gazette.

RE: Legal Notice for Common Council;
of Fort Wayne, IN

Bill No. G-87-07-13
Alley Vacation

Bill No. G-87-07-14
Alley Vacation

Please send us 4 copies of the Publisher's Affidavit
from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 2

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-87-07-14)

Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, November 10, 1987, at 7:00 P.M. (EST) in Room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:

Alley Vacation Ordinance -- A north/south alley running to the south of the N&W Railroad and north of Berry Street between Canal and Schick Streets -- Expansion of the business

2. ALLEY VACATION

The 10 foot wide alley in PIEPENBRINK'S OUT LOTS as recorded in Plat Book "O", page 97 (1867), lying between Lots 8 and 9, Lots 7 and 10 and Lots 6 and 11 thereto;

TOGETHER with the 10 foot wide alley in THIEME'S SUBDIVISION as recorded in Deed Record 95, page 562 (1884), lying between Lots 5 and 6 thereto;

TOGETHER with that portion of the East-West 10 foot alley situated on the North side of THIEME'S SUBDIVISION intercepted;

Extending from the South line of the former New York, Chicago and St. Louis Railroad now the Norfolk and Western Railway Company Southerly 439.4 feet; more or less, to the North line of Berry Street (50 feet wide).

Fort Wayne Common Council

(Governmental Unit)

Allen

County, IN

To JOURNAL-GAZETTE Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head number of lines 3
Body number of lines 28
Tail number of lines 3
Total number of lines in notice 34

COMPUTATION OF CHARGES

34 lines 1 columns wide equals 34 equivalent lines at .300¢ \$ 10.20
cents per line
Additional charge for notices containing rule or tabular work (50 per cent of above amount)
Charge for extra proofs of publication (1.00 for each proof in excess of two) 2 extra 2.00
TOTAL AMOUNT OF CLAIM \$ 12.20

DATA FOR COMPUTING COST

Width of single column 12.5 picas Size of type 6 point
Number of insertions 1 Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Drusilla Roose

Date Oct. 22 19 87

Title CLERK

FORM #901

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that he/she is CLERK

JOURNAL-GAZETTE
DAILY

a newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time the dates of publication being

as follows:

10/22/87

Drusilla Roose

Subscribed and sworn to me before this 22nd day of October 19 87

Shelley R:LaRue Notary Public

My commission expires March 3, 1990

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-87-07-14)
Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, November 10, 1987, at 7:00 P.M. (EST) in Room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:
Alley Vacation Ordinance -- A north/south alley running to the south of the N & W Railroad and north of Berry Street between Canal and Schick Streets -- Expansion of the business
2. ALLEY VACATION
The 10 foot wide alley in PIEPENBRINK'S OUT LOTS as recorded in Plat Book "0," page 97 (1867), lying between Lots 8 and 9, Lots 7 and 10 and Lots 6 and 11 thereto;
TOGETHER with the 10 foot wide alley in THIEME'S SUBDIVISION as recorded in Deed Record 95, page 562 (1884), lying between Lots 5 and 6 thereto;
TOGETHER with that portion of the East-West 10 foot alley situated on the North side of THIEME'S SUBDIVISION intercepted;
Extending from the South line of the former New York, Chicago and St. Louis Railroad now the Norfolk and Western Railway Company Southerly 439.4 feet; more or less, to the North line of Berry Street (50 feet wide.)
All interested parties are invited to attend.
FORT WAYNE COMMON COUNCIL
Sandra E. Kennedy
City Clerk

Fort Wayne Common Council

(Governmental Unit)

Allen

County, IN

To NEW-SENTINEL Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head number of lines 3
Body number of lines 28
Tail number of lines 3
Total number of lines in notice 34

COMPUTATION OF CHARGES

34 lines, 1 columns wide equals 34 equivalent lines at .300¢ \$ 10.20
cents per line
Additional charge for notices containing rule or tabular work (50 per cent of above amount)
Charge for extra proofs of publication (1.00 for each proof in excess of two) 2 extra 2.00
TOTAL AMOUNT OF CLAIM \$ 12.20

DATA FOR COMPUTING COST

Width of single column 12.5 picas Size of type 6 point
Number of insertions 1 Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date Oct. 22, 19 87

Drusilla Rose
Title CLERK

FORM #903

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Rose who, being duly sworn, says that he/she is CLERK of the NEWS-SENTINEL DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, one time which was duly published in said paper for the dates of publication being as follows:

10/22/87

Subscribed and sworn to me before this 22nd day of October 19 87

Shelley R. LaRue Notary Public

My commission expires March 3, 1990

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-87-07-14)

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TOGETHER with that portion of the East-West 10 foot alley situated on the North side of THIEME'S SUBDIVISION intercepted;

Extending from the South line of the former New York, Chicago and St. Louis Railroad now the Norfolk and Western Railway Company Southerly 439.4 feet; more or less, to the North line of Berry Street (50 feet wide.)

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FORT WAYNE COMMON COUNCIL
Sandra E. Kennedy
City Clerk